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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 DAVON HOWES,

12 Plaintiff,

13 v.

14 CLAIRE WHITE, et al.,

15 Defendants.
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No. 2:21-cv-0521-EFB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

17 Plaintiff is a county jail inmate proceeding without counsel in an action brought under 42
18 U.S.C. § 1983. On April 27, 2021, the court found that plaintiff had submitted a trust account
19 statement (ECF No. 6), but it had not been certified by a jail official, as required by 28 U.S.C.
20 § 1915(a)(2). ECF No. 7.

21 Accordingly, the court directed plaintiff to submit a *certified* trust account statement to
22 complete his request for leave to proceed in forma pauperis. *Id.* The court also warned plaintiff
23 that failure to do so would result in this action being dismissed. *Id.* The time for acting has now
24 passed and plaintiff has not submitted the certified trust account statement or otherwise responded
25 to the court's order.


26 Accordingly, it is ORDERED that the Clerk is directed to randomly assign a United States
27 District Judge to this case.

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1 Further, it is RECOMMENDED that this action be dismissed without prejudice.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
4 after being served with these findings and recommendations, any party may file written
5 objections with the court and serve a copy on all parties. Such a document should be captioned
6 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
7 objections shall be served and filed within fourteen days after service of the objections. The
8 parties are advised that failure to file objections within the specified time may waive the right to
9 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
10 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: June 1, 2021.

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13 EDMUND F. BRENNAN
14 UNITED STATES MAGISTRATE JUDGE
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